

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 4-8 and 10-27 are pending in the present application. Claims 1, 10-12, 14, 20 and 21 have been amended, claims 24-37 have been added and claim 13 has been canceled by the present amendment.

In the outstanding Office Action, claims 10, 11, 20 and 21 were objected to; claims 1, 4-8 and 10-23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Lamkin et al. in view of Briscoe et al.

Regarding the objection to claims 10, 11, 20 and 21, these claims have been amended in light of the comments noted in the Office Action. Accordingly, it is respectfully requested these objections be withdrawn.

Claims 1, 4-8 and 10-23 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lamkin et al. in view of Briscoe et al. This rejection is respectfully traversed.

Amended independent claim 1 includes a combination of features and has been amended to include some of the subject matter from claims 10-12 and all of the subject matter from claim 13. In particular, independent claim 1 has been amended to clarify that an image type is for indicating whether an image for presenting the auxiliary contents data is square or not, and the aspect ratio is for indicating whether the aspect ratio of the image for presenting the auxiliary contents data is either 4:3 or 16:9. Further, the auxiliary contents data is pre-recorded on a recording medium or provided by an external server through a communication network, and the presenting step outputs the auxiliary contents data in conjunction with the A/V data reproduced from the recording medium using the image type and aspect ratio included in the playback control information. Independent claim 14 includes similar features in a varying scope.

These features are supported at least by Figure 3 and the corresponding description in the specification. For example, Figure 3 illustrates an image type indicating whether an image for presenting the auxiliary contents data is square or not, and the aspect ratio for indicating whether the aspect ratio of the image for presenting the auxiliary contents data is either 4:3 or 16:19. As shown in Figure 3, the image type and aspect ratio are two separate items.

The Office Action relies on Figure 2 of Briscoe et al. as teaching a width and height and indicates this is the same as the claimed image type and aspect ratio of the present application. However, it is respectfully noted the width and height in Figure 2 of Briscoe et al. have nothing to do with an aspect ratio. Rather, the width and height in Figure 2 of Briscoe et al. appear to describe a width and height of the image in the document and the width and height of an alternate image. As shown in Figure 2, there is only one value for the height and width and there is no separate aspect ratio as in the present invention. Lamkin et al. also does not teach or suggest these features.

Accordingly, it is respectfully submitted independent claims 1 and 14 and each of the claims depending therefrom are allowable.

In addition, new claims 24-27 have been added to set forth the invention in a varying scope, and Applicants respectfully submit the new claims are supported by the originally-filed specification. It is respectfully submitted these claims further define over the applied art.

CONCLUSION


In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact David A. Bilodeau, Reg. No. 42,325, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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